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Deliver To: Examiner Vy Hung
Company: USPTO
Facsimile No. (571) 273-1954 and (703) 872-9306
From: Eric S. Hyman
Date: 3/18/05
Number of Pages: 3 (Including Cover Sheet)
Operator: Kumiko A.
Our Reference: 003364.P126

SUBJECT:	USSN: 10/632,587
REMARKS:	Pursuant to your request, attached is a Terminal Disclaimer in connection with the above-identified application.

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VLR 5/1/2003

TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION	Docket Number (Optional) 3364P126
<p>In re the Application of: Dong-Churl Kim, et al. Application No.: 10/832,587 Filed: July 31, 2003 For: High Frequency Optical Pulse Source</p> <p>The owner*, <u>Electronics and Telecommunications Research Institute</u>, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>10/280,691</u>, filed on <u>October 25, 2002</u>, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="text-align: center;"> _____ Signature</div><div style="text-align: center;"><u>3/18/05</u> _____ Date</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="text-align: center;">Eric S. Hyman, Reg. No. 30,139 _____ Typed or printed name</div><div style="text-align: center;">(310) 207-3800 _____ Telephone Number</div></div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.</p> <p><small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/98 may be used for making this statement. See MPEP § 324.</small></p>	

Based on PTO/SB/25 (08-03) as modified by Blakely, Solokoff, Taylor & Zetman (w/1) 08/11/2003.
Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1460

**FEE TRANSMITTAL
for FY 2005**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

65.00

Complete if Known

Application Number	10/632,587
Filing Date	July 31, 2003
First Named Inventor	Dong-Churl Kim
Examiner Name	Vy, Hung T.
Art Unit	2821
Attorney Docket No.	3364P126

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1262	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) Terminal Disclaimer Fee					65.00
SUBTOTAL (2)					(65.00) 65.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Eric S. Hyman	Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature		Date	03/18/05		

Based on PTO/SD-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (v4) 12/15/2004.
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